

Meeting Minutes
Plan & Zoning Commission Meeting
Tuesday, March 3, 2015
Ankeny City Hall – City Council Chambers
410 W. First Street, Ankeny, Iowa

CALL TO ORDER

The March 3, 2015 meeting of the Plan & Zoning Commission was called to order at 6:30 pm by Vice Chair T.Flack.

ROLL CALL

Members present: T.Flack, D.Fliger, P.Mollenhauer, S.Odson, L.West. Absent: G.Hunter, T.Ripper, L.Voigt. Staff present: E.Jensen, E.Carstens, E.Bodeker, J.Gould, T.Kuhn.

AMENDMENTS TO THE AGENDA

L.West requested the removal of Item #7 from the Consent Agenda. Motion by D.Fliger to accept the agenda as revised. Second by L.West. All voted aye. Motion carried 5 – 0.

COMMUNICATIONS

There were no communications.

CITIZEN'S REQUEST

There were no requests.

CONSENT AGENDA ITEMS

Item #1. Minutes

Motion to approve and accept the February 17, 2015 minutes of the Plan & Zoning Commission meeting.

Item #2. 2006 S Ankeny Blvd. (Bldg 7) – DMACC Culinary Institute Building Expansion Site Plan

Motion to approve the DMACC Culinary Institute Building Expansion Site Plan at 2006 S Ankeny Blvd. (Bldg 7).

Item #3. Centennial Pointe West Plat 4 Final Plat

Motion to rescind the October 21, 2014 approval of Centennial Pointe West Plat 4.

Motion to recommend City Council approval of Centennial Pointe West Plat 4 Final Plat subject to approval of a parksite dedication agreement.

Item #4. Pine View Estates Plat 3 Final Plat

Motion to recommend City Council approval of Pine View Estates Plat 3 Final Plat and City Council approval of public street name NW Pine View Circle.

Item #5. Villas at Stonehaven Final Plat and Villas at Stonehaven PUD Site Plan

Motion to rescind the August 5, 2014 approval of the Villas at Stonehaven Final Plat and Site Plan

Motion to recommend City Council approval of Villas at Stonehaven Final Plat and accept the private street name designations SW Country Lane and SW Stonehaven Lane; and recommend City Council approval of payment in lieu of parkland dedication.

Motion to recommend City Council approval of Villas at Stonehaven PUD Site Plan.

Item #6. Wal-Mart Plat 2 Final Plat

Motion to recommend City Council approval of Wal-Mart Plat 2 Final Plat

Referencing Item #5, S.Odson stated that he confirmed with the City that both private and public roads, sewers and storm sewers are required to be built to SUDAS standards the only difference between the public and private is that the public roadways, sewers, storm are inspected by City inspectors. Kevin Crawford, Cooper Crawford & Associates, 475 S 50th Street, Suite 800, West Des Moines, IA representing HZB Enterprises clarified that in Ankeny inspections are conducted by private consultants who report to City inspectors.

S.Odson asked if the private infrastructure in Villas at Stonehaven will be inspected. Mr Crawford said that has not yet been considered. S.Odson asked if he is comfortable with the contractor constructing exactly what is shown on the drawings. Mr.Crawford responded that they may not be doing day-to-day inspections, but they do conduct pressure tests on sewer main and water. S.Odson asked what the difference is in cost in running a gravity sewer ½ mile, in comparison to a private lift station. Mr.Crawford said that he put a high price of \$150,000 on the lift station in his cost analysis, without redesign of the private sewer on site, it was about \$30,000 of additional costs plus there would be costs associated with the added depth required for the sanitary sewer. Additionally, with a private system, you control your own destiny by eliminating DOT permits, private easements, extra clearing & grubbing, which is what the owner chose to do with a private lift station. S.Odson asked what guarantees there are that if a failure occurs, the owners in this subdivision won't ask the City to take over the private infrastructure. Mr.Crawford said that likely would happen, however, the City would have no responsibility to agree to the request. S.Odson said that he believes developers have the right to do what they want on their own property, but he doesn't want a failure on the developer's part to become the financial responsibility of other citizens. He referenced other areas in Ankeny where the City has taken ownership of private streets that required a financial investment. S.Odson said he is not comfortable with this project, but he sees no reason not to allow it.

P.Mollenhauer asked what happens to covenants and homeowner association agreements with a future sale of the property. Mr.Crawford responded that he would assume that agreements in place would continue to be the requirements for the new owners. She asked if there is any requirement by the City that the lift station would be inspected prior to a sale. E.Jensen responded that there is not, it is "buyer beware" in this situation as it is throughout the community where there are private streets and utilities in a number of developments. P.Mollenhauer asked if the homeowners would have a maintenance and oversight program for the liftstation, adding that it's important to adhere to good sustainable practice and do what's environmentally healthy, because when things break down, it affects other taxpayers and other entities. Mr.Crawford responded that he is not privy to details of the homeowners association.

Referencing Item #2, L.West asked if the dumpster and truck access locations remain as existing and if the grease trap will be changed. Holly Reid, Shive Hattery, 4125 Westown Parkway, Des Moines, project design consultant, responded that the dumpster and loading locations remain the same, a new grease interceptor will be installed, improving the condition.

Referencing Item #6, L.West asked if the drainage pond will be removed. With no representative from Wal-Mart, staff provided an aerial showing the location of Lot 2, just west of the drainage pond which will remain.

Motion by D.Fliger to approve the recommendations for Consent Agenda Items #1 - #6. Second by S.Odson. All voted aye. Motion carried 5 – 0.

REMOVED CONSENT AGENDA ITEMS

Item #7. Wangsness Plat 1 Final Plat (rural)

S.Odson asked what the difference is in cost between installing a septic tank versus running 322 feet to an existing sewer. Terry Coady, Snyder & Associates, 2727 SW Snyder Blvd. representing the owner of the property Jeff Wangness said he did not have that information. S.Odson said he realizes this is in the county, but he doesn't think that this type of development in the Four Mile river bottom close to existing sewer should be allowed. Mr.Coady responded that there was an existing septic tank on site, so there would be no change. S.Odson responded that the developer is asking the Commission to approve a new plat, not what was existing. E.Jensen stated that the Commission went through this discussion with the preliminary plat, City Council approved the preliminary plat with septic and the City has no ordinance requiring a connection beyond 200 feet.

D.Fliger commented that he might agree with S.Odson if this were a larger development, but it is 3 large-lot single family homes, so the burden is not that much and it is outside of city policy.

Motion by D.Fliger to recommend City Council approval of Wangness Plat 1 Final Plat subject to applicable Polk County requirements in lieu of the City of Ankeny Subdivision Regulations. Second by T.Flack. Motion carried 3 – 2 (nay: S.Odson, P.Mollenhauer).

PUBLIC HEARINGS

Item #8. Bresson Construction, Inc request to rezone property from R-1 (One-Family Residence District) to R-2 (One-Family and Two-Family Residence District) restricted to single family.

Vice Chair T.Flack opened the public hearing.

Staff Report: J.Gould reported that the rezoning request is for approximately 38.9 acres located north of the NW 8th Court / NW Weigel Drive intersection, on the east side of NW Weigel Drive. The request is to rezone from R-1, One-Family Residence District, to R-2, One-Family and Two-Family Residence District restricted to single family. J.Gould presented the Rock Creek Crossing Preliminary Plat and stated that in February of 2014, City Council approved the preliminary plat showing the extension of NW Seasons Drive to the north and NW 13th Street connecting from the Boulder Brook subdivision to Weigel Drive. The rezoning request is consistent with the Comprehensive Plan showing low density residential and the developer has submitted the required 60% of signatures to initiate the process.

D.Fliger asked why the preliminary plat was approved ahead of the rezoning. J.Gould responded that it was approved with the condition of rezoning and the request is by the same owner and is consistent with his developments to the south.

S.Odson asked what the difference in frontage is between R-1 and R-2. E.Jensen responded that R-1 is 85-feet, R-2 is 70-foot, all the residential land to the west and south is zoned R-2, all of Boulder Brook is R-3a where the bulk regulations match the R-2 requirements. J.Gould presented the Zoning Map noting that all of the adjacent subdivisions have a similar restriction limiting development to single family detached units

Erin Ollendike, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, on behalf of Bresson Construction had no additional information but offered to respond to questions.

D.Fliger asked what the timeline is. Ms.Ollendike responded that construction will likely begin this year, adding that the next phase will be about half of the area considered in this rezoning. She said that the reason the preliminary plat was approved last year was because they wanted to work with City staff to get the culvert crossing at NW 13th Street into the CIP. S.Odson asked if there will be any detention on this property. Ms Ollendike responded that she is not aware of any. S.Odson asked what percentage of residents signed the petition. Ms. Ollendike responded that 32% were residents.

Randy Brady, 1124 NW Boulder Point Place, asked if this zoning gives the developer the opportunity to construct 2-family homes. L.West explained that there is a restriction to allow only single family detached. E.Jensen further explained that while the R-2 district allows 2-family structures, this proposal eliminates that option. Mr.Brady said they want to keep their property values up; their only concern, since their rear yard is along the creek, is that there is proper consideration and efforts regarding storm water and run off.

S.Odson asked if staff has researched managing runoff in single family developments. E.Jensen responded that that has been directed to the Public Works Director, and he is working on it.

Motion by P.Mollenhauer to close public hearing and receive and file documents. Second by S.Odson. All voted aye. Motion carried 5 – 0.

Item #9 Central Iowa Classis / Campus Town Senior Housing request to amend the Tradition PUD (Planned Unit Development)

Vice Chair T.Flack opened the public hearing.

Staff Report: J.Gould reported that the request is for an amendment to the Tradition PUD to allow high density residential on property that currently allows medium density residential. This specific amendment is to allow a multi-family type of building restricted to residents age 55 and older. The current medium density allows 6 to 10 units/acre, high density would allow 11 to 18 units/acre. The proposal is for 134 units for a density of 13 units/acre. The developer has submitted the required rezoning petitions consisting of the signatures of more than 50% of the land area subject to the rezoning, as well as the signatures of the owners of at least 60% of the land within 250' of the subject property.

Tim Locher, Blue Forest Land Group, owner, representative and development manager for Calamar Senior Living Apartments explained that Calamar is the developer, builder, owner and manager of senior communities across the United States and they have recently begun an expansion in the Metro area. They specialize in 55 plus independent living facilities focusing on the best built building at the best rental rate possible without adding costly amenities. After construction, they create a management hub hiring locally to manage 3 or 4 locations. The management team focuses on lifestyle and event coordination. Mr.Locher explained that he has met with city staff as well as the neighborhood to bring forward a plan that will complement the existing neighborhood. He said that landscaping and buffering plans were shared with the adjacent residents and they have taken a great deal of care to ensure there will be adequate buffers. Mr.Locher said the adjacent property owners also expressed concern that the building could resell as student housing and offered deed restrictions as a means to limit the building to a 55 plus community. He explained that they will not only have an internal trail system but one that connects to the overall master trail and at the southeast corner, where a gap with a serious grading issue exists, they will make a connection as an offsite improvement.

L.West asked if Calamer owns anything else in the metro area. Mr Locher responded that this will be the first, however Indianola will be close to this timeline then there will be a 3rd and 4th location to follow.

D.Fliger asked if there will be elevators since it's a 3-story building. Mr Locher answered that there are 2 elevators with back-up generators.

D.Fliger asked how the age requirement is controlled and if it is a smoke free building. Mr Locher said a lease cannot be signed unless to lessee is 55 or older which complies with all regulations, and all units are non-smoking.

S.Odson asked what percentage of the 60% required for rezoning were residents. Mr.Locher said that 60% required only the signature of 2 residents, and once they reached the required 60% they did not pursue additional signatures. They did meet with the residents on 2 occasions to explain the project.

The Commission asked about options and amenities for residents. Mr Locher explained that they work to create lifestyle and customer service to meet the needs of the residents without the expense of amenities that won't be used building wide. Everything will be ADA compliant.

Paul Wigg, 2804 SW Westview Lane part of the Village at Stonewater, said his concern is the additional surface and groundwater converging from the north and west into the waterways that flow toward 2nd Avenue. He explained that during several rains last summer, the 2 retention ponds overflowed across the walkway. He asked how much more building will be allowed on the vacant land in this area. He added that the retention ponds are owned by the city and they are silted in.

Ellis Smith, 2811 SW Westview Drive expressed concern that the bank along the rear of his property may fail or erode once there is construction on the site. He said that otherwise, the plan is fine.

Motion by L.West to close public hearing and receive and file documents. Second by P.Mollenhauer. All voted aye. Motion carried 5 – 0.

REPORTS

City Council Meeting

D.Fliger reported on his attendance at the March 2nd City Council meeting

Director's Report

E.Jensen presented the tentative agenda items for the March 17, 2015 meeting and the February Building Permits Report. He advised the Commission that the P&Z Retreat will be held on March 24th at noon at the Pinnacle Club.

MISCELLANEOUS ITEMS

Staff will verify that G.Hunter will attend the March 16, 2015 City Council meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 pm.

Submitted by Trish Kuhn, Secretary,
Plan & Zoning Commission